

## **RESPONSE TO FINAL OFFICE ACTION**

SERIAL NO.: 09/208,696; APPLICANT: Yasuyuki Sekine; AU 3711  
EXAMINER: Collins, D.; ATT'Y. DKT.: RM.HPK; FILED: December 10, 1998

## **R E M A R K S**

Amendments are presented herein to improve the form of the subject application and in response to the Examiner's comments in the above-identified Office Action.

### ***Response to Amendment***

The Examiner has acknowledged the response by Applicant's representative received 5/4/2000. The Examiner further acknowledges the corrections/clarifications made to address the issues of the first action.

### ***Drawings***

The Examiner has acknowledged the corrections made to the drawings. Applicant gratefully acknowledges that the Examiner has withdrawn the objection to the drawings.

### ***Specification***

The Examiner has acknowledged the corrections made to the specification. Applicant gratefully acknowledges that the Examiner has withdrawn the objection in the first office action to the specification.

### ***Abstract of the Disclosure***

The Examiner has acknowledged the amendment made to the Abstract of the Disclosure. Applicant gratefully acknowledges that the Examiner has withdrawn the objection in the first office action to the Abstract of the Disclosure.

### ***Claim Rejection- 35 U.S.C. § 112, Second Paragraph***

The Examiner has acknowledged the amendment made to claims 2 and 3. Applicant gratefully acknowledges that the rejection under 35 U.S.C. § 112, second paragraph, has been overcome.

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### ***Claim Rejections - 35 U.S.C. §§ 102(b) and 103(a)***

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as specifying subject matter considered by the Examiner to be obvious, over Sankyo K.K.

The reiterates the prior rejection of claims 1-10 under 35 U.S.C. § 102(b) by stating that the Sankyo K.K. reference is considered to disclose, as the invention, a slot machine. The Examiner states that in the slot machine, the inventor of the arrangement disclosed in the Sankyo K.K. reference teaches a display that has two or more identical symbols appearing serially, as shown in the main figure of the known invention.

According to the Examiner, Sankyo K.K. discloses the claimed (display) invention with the exception of the teaching of two or more identical special symbols in all three columns. The Examiner concludes that it would have been obvious to one of ordinary skill in the art at the time of the invention to duplicate the teaching of two or more identical special symbols shown in the right and left columns (drums) as shown in the aforementioned figure, since, according to the Examiner, it has broadly been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

The Examiner continues by stating that additionally the serially appearing symbols of Sankyo K.K.'s disclosure could be considered special for the purpose of this invention.

### ***Examiner's Response to Applicant's Prior Arguments***

In response to the arguments presented by Applicant in the response filed 5/4/2000, the Examiner states that same have been fully considered but they are not persuasive.

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The Examiner states that Applicant is claiming a display that has symbols with indicia in a predetermined arrangement. The reference to Sankyo K. K., according to the Examiner, teaches virtually the same display (as mentioned in the aforementioned rejection). The purpose of the game in the patent to Sankyo's should not be an issue, since Applicant's claims are more directed to the structure and the physical operation of such. The indicia on the reels of Sanyko K. K. are not exactly the same as those mentioned in applicants display, however, the selection of indicia is only a matter of design choice.

According to the Examiner, there is no suggestion of speed of rotation of the reels, therefore, examiner sees no reason why a player would not be able to recognize the symbols in order to perform an effective stop. As such, Applicant's arguments were not considered by the Examiner to be sufficient to overcome the rejection by prior art.

### *Applicant's Argument to the Final Rejection*

Applicant respectfully asserts that the Sankyo, K.K. reference does not teach or suggest the invention specified in amended independent claim 1. More specifically, the Sankyo, K.K. reference shows a plurality of symbols arranged on three columns, each such column corresponding to the periphery of a rotating drum, as would be the case in a conventional slot machine. First it is noted that all of the symbols are present, in different sequential relationship, on each of the three columns of the Sankyo, K.K. reference. Thus, no symbol in the known arrangement is seen to be a "special" symbol. More to the point, the Examiner's attention is respectfully directed to the first, second, and third columns on the figure shown on page (23) of the reference. The columns presents the following sequence:

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<b><i>COL. 1</i></b>	<b><i>COL. 2</i></b>	<b><i>COL. 3</i></b>
<b>BELL</b>	<b>BAR</b>	<b>7</b>
<b>7</b>	<b>BELL</b>	<b>MELON</b>
<b>BELL</b>	<b>7</b>	<b>MELON</b>
<b>BAR</b>	<b>MELON</b>	<b>MELON</b>
<b>BELL</b>	<b>BELL</b>	<b>MELON</b>
<b>BELL</b>	<b>MELON</b>	<b>BAR</b>
<b>7</b>	<b>BAR</b>	<b>MELON</b>
<b>BELL</b>	<b>MELON</b>	<b>MELON</b>
<b>7</b>	<b>BELL</b>	<b>MELON</b>
<b>BELL</b>	<b>MELON</b>	<b>MELON</b>

As is immediately evident from this sequence, there is no special symbol that appears in any of the columns. Referring to column 1, it is conceded that the BELL appears twice in succession. However, there is no teaching in the Sankyo, K.K. reference that the presentation of symbols is performed "at a rate of motion sufficiently fast that a player will not readily distinguish a singular presentation of any of the plurality of symbols," or that the BELL in the first column would represent any predetermined game condition, as claimed in amended independent claim 1. Particular game conditions are specified in claims 2 and 3.

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With reference to column 2, no symbol appears two or more times in sequence. Clearly, there is no special symbol in this column that would enable the player to effect a meaningful stop operation for the motion of the display.

With respect to column 3, the MELON is shown twice in successions of four presentations. The MELON therefore cannot be a special symbol as claimed as its multiple sequences of appearance will not enable the player to effect a meaningful stop operation.

The amendments presented herein to the claims do not constitute new matter. With respect to the newly added limitation in amended independent claim 1 relating to the rate of motion of the display being sufficiently fast that a player will not readily distinguish a singular presentation of any of the plurality of symbols, reference is made to the specification, illustratively at page 4, line 17-19, wherein it is stated:

In the display portion, plural kinds of symbols necessary for the game are indicated [with] while the display is moving. The player sometimes cannot easily distinguish the symbols from one another when the player watches the symbols moving [in a] at high speed. (As Amended)

This aspect of the invention is stated with further clarity at page 4, line 20-23, wherein it is stated:

According to the invention, a special kind of symbol is indicated in such manner that two or more of identical symbols be appeared serially one after another in the direction to be moved. When two or more identical symbols are appeared successively, even if the symbols are moved in a high speed, the player can distinguish the special symbol as it is.

Accordingly, the referenced amendment to amended independent claim 1 finds ample support in the specification, and does not constitute new matter.

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With respect to the amendment to amended independent claim 1 directed to the special symbol corresponding to a predetermined game condition, this aspect of the invention was present in claims 2 and 3. Accordingly, it does not constitute new matter and will not require any addition consideration or search on the part of the Examiner. All of the amendments presented herein are directed to correcting minor typographical errors and to placing the case in allowable condition.

In view of the foregoing, it is respectfully asserted that the Examiner's rejection of claims 1-10 under 35 U.S.C. § 102(b) or under 35 U.S.C. 103(a) has been overcome.

### *Conclusion*

In view of the foregoing, it is respectfully requested that the Examiner reconsider the present application, allow the claims, and pass the application for issue. If the Examiner believes that the prosecution of this case can be expedited by a telephone interview, the Examiner is requested to call attorney for Applicant at the telephone number indicated hereinbelow.

Respectfully submitted,



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